UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE STATE STREET BANK AND TRUST CO. ERISA LITIGATION

This document relates to:

ALL ACTIONS

MEMORIAL HERMANN HEALTH CARE SYSTEM, et al.,

Plaintiffs,

-V-

STATE STREET BANK & TRUST CO., et al.,

Defendants.

HOUSTON POLICE OFFICERS PENSION SYSTEM,

Plaintiff,

-V-

STATE STREET BANK & TRUST CO., et al.,

Defendants.

07 Civ. 8488 (RJH)

USDC SDNY
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DOC #:
DATE FILED: 8/8/08

08 Civ. 5440 (RJH)

08 Civ. 5442 (RJH)

ORDER

The Clerk of Court is directed to consolidate, for pretrial purposes only, the actions with docket numbers <u>08 Civ. 5440</u> and <u>08 Civ. 5442</u> with those cases previously consolidated under

the above caption, "In re State Street Bank and Trust Co. ERISA Litigation," 07 Civ. 8488, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure. *See Devlin v. Transp. Commc'ns Int'l Union*, 175 F.3d 121, 130 (2d Cir. 1999) ("A district court can consolidate related cases under Federal Rule of Civil Procedure 42(a) sua sponte.").

Filings in any of the consolidated actions should indicate in the caption the docket numbers of the particular action(s) to which the document relates.

All parties to this consolidated action are directed to appear on September 22, 2008 at 10:30 a.m. in the Courtroom of the Honorable Richard J. Holwell, Courtroom 17B, 500 Pearl Street, New York, New York 10007 for a status conference. At that time, the Court will hear oral argument on the pending motion to dismiss in the *Prudential* action, 07 Civ. 8488.

SO ORDERED.

Dated: New York, New York August 8, 2008

> Richard J. Holwell United States District Judge